IN THE HIGH COURT OF BOMBAY AT GOA.

CRIMINAL WRIT PETITION NO. 15 OF 2002.

Santan Fernandes,
Prisoner No. 415,
Central Jail, Aguada. ... Petitioner.

Versus

State of Goa (through
Inspector General of
Prisons, Panaji. ... Respondent.

Mr. N.N. Sardessai, Advocate for the Petitioner.

Mr. A.P. Lawande, Public Prosecutor for the State.

Coram: P.V. HARDAS, J.

Date: 21st June 2002.

ORAL JUDGMENT.

By consent, rule made returnable forthwith.

2. The petitioner has challenged the Order of the Inspector General of Prisons, Panaji, Goa, dated 24th January 2002 rejecting the parole application of the petitioner. The Inspector General of Prisons, Panaji, Goa, had merely stated in the Order that the grounds of parole was not justified in public interest.

3. The petitioner had filed a parole application requesting for 45 days of parole on the ground of sickness of his mother and in support of the same had submitted a medical certificate. The reply of the Inspector General of Prisons, Panaji, Goa, as well as the Order impugned in the present revision do not disclose any reasons as to why the ground urged by the

petitioner requesting for parole were not found to be genuine. The authorities while refusing parole should give reasons.

4. In view of the matter, the impugned Order of the Inspector General of Prisons, Panaji, Goa, is quashed and set aside and the Inspector General of Prisons is directed to decide the request of the petitioner afresh, if necessary, after calling for the report, within 4 weeks from today.

5. For the aforesaid reasons, rule is made absolute in the above terms with no order as to costs.

(P.V. HARDAS)
JUDGE.

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